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# ALLEN-SCOTT REPORT

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Attorney General Ponders Tricky Question of  
Grand Jury Probe of Bobby Baker Affairs

WASHINGTON—Atty. Gen. Robert Kennedy is facing what could be the most critical decision of his career—whether to authorize the convening of a grand jury to consider charges against “Bobby” Baker.

Assistant Atty. Gen. Herbert Miller, head of the criminal division, has indicated he will be ready to present such a case around mid-May.

Justice Department insiders credit Miller as favoring taking such action. But before he can proceed, it will be necessary for him—in the highly politics-charged Baker affair—to get the approval of his boss, the attorney general.

With no formal recommendations yet before him, Kennedy is portrayed as having “an open mind” on initiating legal action against the one-time influential \$19,500-a-year secretary of the Senate Democrats. But Justice Department authorities are taking it for granted that if Miller advocates grand jury action, Kennedy will okay it.

It has long been an open secret that no love was lost between the young attorney general and the equally youthful Baker.

However, the backstage word is that Deputy Atty. Gen. Nicholas Katzenbach is reputedly “dragging his feet.” He is said to be counseling a “go slow” policy.

Behind the scenes, the question also is being raised of possible intense White House interest.

Walter Jenkins, among President Johnson’s closest assistants and until recently an official of the LBJ (radio-TV) Co., was involved in the stormy Senate investigation of Baker. Republicans made repeated efforts to have Jenkins summoned for direct interrogation, but were voted down by the Democratic majority.

Whether a grand jury probe of Baker would affect Jenkins or others close to the President is not known. But this point is being avidly discussed by politicians in both parties.

Privately apprised of the possible grand jury proceedings, they are intently watching what happens in both the Justice Department and the White House.

## OTHER PUZZLERS

Involved in the issue of making charges against Baker to a special federal grand jury is where that should be done—in the District of Columbia or the adjoining state of Maryland.

The former potent Senate official’s activities covered both jurisdictions, and a decision would have to be made where to proceed against him.

Another potential problem is the report of the Senate investigating committee. This is now slated for some time in May, and is certain to be as furiously partisan as the probe has been.

The six Democratic committeemen will have a so-called majority report, and the three Republicans will have their own report. The two are certain to differ widely—with the Democrats soft-pedaling, and the Republicans castigating and excoriating right to the doorstep of the White House.

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What effect, if any, these clashing findings would have on a grand jury investigation is conjectural. They are sure to have loud political impact.

Also still to be heard from are two other potentially decisive forces.

One is the Internal Revenue Service which is probing Baker’s tax returns. It is understood the IRS expects to submit its findings to the Justice Department in a few weeks, in ample time for Miller to consider them in making his recommendation to the attorney general.

The other factor is Sen. John Williams, R-Del., the veteran “one-man investigating committee,” who precipitated the Baker investigation.

Williams is telling colleagues he has considerably more to say about the Baker case, and will make a series of Senate speeches. He will also make public correspondence he has had with various government agencies on the matter.

## BIG FLOP

That tax on gamblers Congress voted 12 years ago has had no effect on gambling and produced very little revenue. When this anti-gambling law was enacted (requiring gamblers to get a \$50 license and turn over 10 per cent of their profits), the Treasury estimated it would produce \$400 million annual revenue. But after 12 years, the Treasury’s total “take” is \$86.9 million—an average of approximately \$7 million a year. That’s a far cry from \$400 million. Also, of the several hundred or more thousand professional gamblers, only some 10,000 have admitted that by buying the \$50 stamps and paying federal betting taxes. Meanwhile, Treasury authorities estimate gambling is now a \$10 billion “industry” as compared to \$4 billion when this ineffectual law was adopted in 1952.